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STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD
NOTICE OF SPECIAL BOARD MEETING

Tuesday, February 16, 2021 at 1:00 p.m.
Via Zoom and Teleconference

On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which removes the requirement that a meeting location be made available for the public to gather for purposes of observing and commenting at the meeting. The New Motor Vehicle Board Meeting will be conducted via Zoom and teleconference. Board members will participate in the meeting from individual remote locations.

Members of the public can attend the meeting remotely via one of several options listed below. Written comments, if any, can be submitted at nmvp@nmvp.ca.gov or during the meeting.

To request a reasonable modification or accommodation for individuals with disabilities at this or any future Board meeting or to request any modification or accommodation for individuals with disabilities necessary to receive agendas or materials prepared for Board meetings, please contact Robin Parker at Robin.Parker@nmvp.ca.gov or (916) 445-1888.

Join Zoom Meeting

<https://us02web.zoom.us/j/87467692957?pwd=aE1oTWtNZVQ0T1d2c2p0TnhWaFErUT09>

Meeting ID: 874 6769 2957

Passcode: 881643

One tap mobile

+16699009128,,87467692957#,,,,,0#,,881643# US (San Jose)

+13462487799,,87467692957#,,,,,0#,,881643# US (Houston)

Dial by your location

+1 669 900 9128 US (San Jose)

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

Meeting ID: 874 6769 2957

Passcode: 881643

Find your local number: <https://us02web.zoom.us/j/87467692957>

Items of business scheduled for the meeting are listed on the attached agenda. Recesses may be taken at the discretion of the Chairperson and items may be taken out of order.

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A G E N D A
SPECIAL MEETING

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Please note that Board action may be taken regarding any of the issues listed below. As such, if any person has an interest in any of these issues, he or she may want to attend.

The Board provides an opportunity for members of the public to comment on each agenda item before or during the discussion or consideration of the item as circumstances permit. (Gov. Code § 11125.7) However, comments by the parties or by their counsel that are made regarding any proposed decision, order, or ruling must be limited to matters contained within the administrative record of the proceedings. No other information or argument will be considered by the Board. Members of the public may not comment on such matters.

1. **1:00 p.m. -- Meeting called to order.**
2. **Roll Call.**
3. **Oral Presentation before the Public Members of the Board.**
 - a. MERCED TRUCK & TRAILER, INC., a California Corporation v. DAIMLER TRUCK NORTH AMERICA, LLC, and Does 1-50, inclusive
Protest No. PR-2671-20
 - b. BONANDER AUTO, TRUCK & TRAILER, INC., a California Corporation v. DAIMLER TRUCK NORTH AMERICA, LLC
Protest No. PR-2673-20
4. **Closed Executive Session deliberations.**

Pursuant to Government Code section 11126(c)(3), Vehicle Code section 3008(a), and Title 13, California Code of Regulations, sections 581 and 588, the Board convenes in closed Executive Session to deliberate the decisions reached upon the evidence introduced in proceedings that were conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

a. **Consideration of Proposed Order.**

MERCED TRUCK & TRAILER, INC., a California Corporation v. DAIMLER TRUCK NORTH AMERICA, LLC, and Does 1-50, inclusive
Protest No. PR-2671-20

Consideration of the Administrative Law Judge's Proposed Order Granting Respondent Daimler Truck North America, LLC's Motion to Dismiss Protest, by the Public Members of the Board.

b. **Consideration of Proposed Order.**

BONANDER AUTO, TRUCK & TRAILER, INC., a California Corporation v. DAIMLER TRUCK NORTH AMERICA, LLC
Protest No. PR-2673-20

Consideration of the Administrative Law Judge's Proposed Order Granting Respondent Daimler Truck North America, LLC's Motion to Dismiss Protest, by the Public Members of the Board.

5. **Open Session.**

6. **Consideration of Decision in light of Judgment on General Motors LLC's Petition for Writ of Administrative Mandate.**

FOLSOM CHEVROLET, INC., dba FOLSOM CHEVROLET v. GENERAL MOTORS, LLC
Protest No. PR-2483-16

Consideration of the Decision in light of the Los Angeles County Superior Court's Judgment commanding the Board to set aside that portion of its Decision, dated August 13, 2018, finding that General Motors LLC violated Vehicle Code section 11713.13(g)(1)(A) generally and in this specific case, by the Public Members of the Board. Otherwise, the petition for writ of administrative mandate was denied and the Board's Decision affirmed.

7. **Adjournment.**

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